

REMARKS

In accordance with the foregoing, claims 1-31 are pending and under consideration. No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 1-2 and 7-8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kim et al. (U.S. Publication 2003/0012558) in view of Tanaka, (U.S. Publication 2001/0029500).

For the purpose of review, Kim discloses an information storage medium that contains closed-captioning information in multiple human languages and an apparatus and method to reproduce such information. The data for the multiple languages closed-captioning or text is contained in multiple markup documents (Kim, Abstract) which are cached by the cache memory after the file is read by a DVD reader (Kim, par. 0045). For additional review, Tanaka discloses an invention providing an online image storage and printing apparatus and method. The abstract of Tanaka discloses an image storage device wherein "[a]n image storage has a memory for digital image data of providers, a condition for each provider in storing the digital image being controlled in accordance with the history of use by image users." Figure 1 of Tanaka, as described in par. 0031, shows a user terminal of an image provider, item 2, providing image data to an image storage, item 1, through a network, item 3, allowing an image user, item 4, to download an image from the image server through a network, item 5. Thus, the disclosures in Tanaka relate to the online uploading, storage and downloading of data of images.

On pg. 4 of the Office Action, in the Response to Arguments section, the Examiner asserts that "the combination of Kim and Tanaka teaches the configuration information for storing the AV data in a buffer and in an updatable markup area of a memory." However, neither Kim nor Tanaka disclose that the ENAV engine allocates at least a portion of the ENAV buffer as an updateable markup area based on ENAV buffer configuration information. As a preliminary note, the Examiner asserts that the cache memory 3 of Kim discloses an ENAV buffer, however the Examiner does not assert which item of Kim discloses the ENAV engine. For the purpose argument, if the cache memory 3 of Kim is the ENAV buffer, then consequently, it is assumed that the Examiner relies upon the presentation engine 5 of Kim to disclose the ENAV engine.

Even with such assumptions, the presentation engine of Kim in combination with the disclosures of Tanaka, does not teach an ENAV engine allocating at least a portion of the ENAV buffer as an updateable markup area based on ENAV buffer configuration information. First of all, the Examiner relies upon Tanaka par. 0032, which recites that “[m]emory 6 includes...HTML (Hyper Text Markup Language) file area 12 for storing image data to be transmitted to personal computer 2 or 4.” Thus, Tanaka discloses an updateable markup area in a memory. However, such an area in combination with the presentation engine 5 of Kim does not disclose the ENAV engine as recited in claim 1 of the present application. Tanaka does not cure the deficiencies of Kim, one of which is that the presentation engine 5 of Kim does not allocate any portion of the cache memory 3. Kim discloses that the “cache memory 3 caches the markup document read by the reader 1,” and that “[t]he presentation engine 5 interprets the read markup document.” (Kim, par. 0045). Furthermore, as can be seen in FIG. 1 of Kim, the cache memory 3 is shown as feeding into the presentation engine 5 by the arrow connecting the two items and pointing in the direction of the presentation engine 5. However, the interaction between the two, as illustrated in FIG. 1 and as explained at Kim, par. 0045, is unidirectional, and consequently, the presentation engine 5 does not allocate any portion of the cache memory 3 based upon the cache memory 3 configuration information because the presentation engine 5 of Kim merely reads the cache memory 3. Furthermore, Tanaka does not disclose or teach an ENAV engine, and the Examiner does not rely upon Tanaka to disclose such. Thus, even in combination, Kim and Tanaka do not disclose an ENAV engine that allocates at least a portion of the ENAV buffer as an updateable markup area based on ENAV buffer configuration information. Therefore, it is respectfully asserted that Kim, in view of Tanaka does not disclose, teach or suggest feature recited in claim 1 of the present application.

Furthermore, Applicant respectfully asserts that claim 2 is allowable at least because of its dependency from claim 1. Therefore, it is respectfully asserted that claim 2 also distinguishes from the prior art.

With respect to claim 7 of the present application, even if Kim is modified with Tanaka as per the disclosure of an internet service, as the Examiner suggests on pg. 3 of the Office Action, the combination of Kim and Tanaka does not disclose an ENAV engine that allocates at least a portion of the ENAV buffer as an updateable markup area based on ENAV buffer configuration information for the reasons set forth above, regarding claim 1. Therefore, it is respectfully asserted that Kim, in view of Tanaka, does not disclose, teach or suggest features recited in

claim 7 of the present application.

Furthermore, Applicant respectfully asserts that claim 8 is allowable at least because of its dependency from claim 7. Therefore, it is respectfully asserted that claim 8 also distinguishes from the prior art.

Based on the foregoing, this rejection is respectfully requested to be withdrawn.

ALLOWABLE SUBJECT MATTER:

Claims 3-6 and 9-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 16-31 are allowable.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN MCEWEN, LLP

Date: _____

5/18/09

By: _____



Michael D. Stein
Registration No. 37,240

1400 Eye St., N.W.
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510